


THIS OPINION WAS NOT WRITTEN FOR PUBLICATION  
AND IS NOT BINDING PRECEDENT OF THE BOARD

Filed by: Trial Section Merits Panel  
Mail Stop INTERFERENCE  
Board of Patent Appeals and Interferences, USPTO  
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

MAILED  
DEC 28 2005  
PAT. & T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

KARL L. GINTER, VICTOR H. SHEAR, FRANCES J. SPAHN, and DAVID M. VAN WIE,  
Junior Party  
(Application 09/411,205)

v.

GREG BENSON, GREGORY H. URICH, and CHRISTOPHER L. KNAUFT  
(Patent 5,845,281; Applications 09/164,606 and 09/321,286)

Patent Interference No. 105,142

MARTIN, LEE, and MEDLEY, Administrative Patent Judges.

PER CURIAM.

**JUDGMENT – Bd. Rule 127**

For the reasons given in the “Decision on Priority” entered herewith, it is hereby

ORDERED that judgment on the issue of priority is entered against party KARL L.

GINTER, VICTOR H. SHEAR, FRANCES J. SPAHN, and DAVID M. VAN WIE as to each of

Counts 1, 2, and 4;

FURTHER ORDERED that party KARL L. GINTER, VICTOR H. SHEAR, FRANCES J. SPAHN, and DAVID M. VAN WIE is not entitled to a patent containing any of its claims which are designated as corresponding to Count 1 (i.e., Claims 91-93, 95-102, 105-09, 112-19, 120-22, 124-31, 134-38, and 141-48 of involved Application 09/411,205);

FURTHER ORDERED that party KARL L. GINTER, VICTOR H. SHEAR, FRANCES J. SPAHN, and DAVID M. VAN WIE is not entitled to a patent containing any of its claims which are designated as corresponding to Count 2 (i.e., Claims 94, 103, 104, 123, 132, and 133 of involved Application 09/411,205);

FURTHER ORDERED that party KARL L. GINTER, VICTOR H. SHEAR, FRANCES J. SPAHN, and DAVID M. VAN WIE is not entitled to a patent containing any of its claims which are designated as corresponding to Count 4 (i.e., Claims 110, 111, 139, and 140 of involved Application 09/411,205);

FURTHER ORDERED that if there is a settlement agreement, the parties should note the requirements of 35 U.S.C. § 135(c) and Board Rule 205; and

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STILL FURTHER ORDERED that a copy of this judgment be filed in the involved applications and patent of the parties.

)	
<u>/ss/ John C. Martin</u>	)
JOHN C. MARTIN	)
Administrative Patent Judge	)
)	
)	
<u>/ss/ Jameson Lee</u>	)
JAMESON LEE	)
Administrative Patent Judge	)
)	
)	
<u>/ss/ Sally C. Medley</u>	)
SALLY C. MEDLEY	)
Administrative Patent Judge	)

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JCM/jcm

Interference No. 105,142  
Ginter v. Benson

cc (Federal Express):

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